

**2000-1-19**

SECTION 19. (a) Notwithstanding IC 4-22-2, to implement this act, the director of the department of toxicology of the Indiana University school of medicine may adopt a rule required under IC 9-30-6-5 or IC 9-30-6-6, or both, in the manner provided for emergency rules under IC 4-22-2-37.1.

(b) A rule adopted under this SECTION is effective when it is filed with the secretary of state and expires on the latest of the following:

(1) The date that the director adopts another emergency rule under this SECTION to amend, repeal, or otherwise supersede the previously adopted emergency rule.

(2) The date that the director adopts a permanent rule under IC 4-22-2 to amend, repeal, or otherwise supersede the previously adopted emergency rule.

(3) July 1, 2001.

(c) For the purposes of IC 9-30-7-4, IC 14-15-8-14, and other statutes, the provisions of a rule adopted under this SECTION shall be treated as a requirement under IC 9-30-6-5 or IC 9-30-6-6, or both, as appropriate.

**2000-2-2**

SECTION 2. IC 6-3-1-11, as amended by this act, applies to taxable years beginning after December 31, 1998.

**2000-3-14**

SECTION 14. P.L.273-1999, SECTION 147, IS AMENDED TO READ AS FOLLOWS: SECTION 147. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2001]: IC 21-2-12-3.1; IC 21-3-1.6-3; IC 21-3-1.6-3.2.

**2000-3-15**

SECTION 15. Notwithstanding the effective date of January 1, 2001, for IC 21-3-12, as added by P.L.273-1999, SECTION 146, the vocational education formula in IC 21-3-1.6-3.3 and IC 21-3-1.6-3.4, as added by this act, shall be used for 2001.

**2000-5-5**

SECTION 5. (a) IC 27-14, as added by this act, is intended to enable mutual insurance companies to seek additional capital more effectively to:

(1) enhance their financial strength and flexibility;

(2) support long term growth internally and through mergers and acquisitions; and

(3) expand and enhance the domestic insurance companies of this state.

(b) IC 27-14, as added by this act, provides an alternative organizational structure to help strengthen the Indiana mutual insurance industry by permitting mutual insurance companies to:

(1) reorganize into a mutual insurance holding company structure; and

(2) raise capital through the sale of capital stock.

**2000-6-6**

SECTION 6. IC 6-5.5-2-1, IC 6-5.5-2-3, 6-5.5-2-4, and IC 6-5.5-4-1, all as amended by this act, apply to taxable years that begin after December 31, 1998.

**2000-7-6**

SECTION 6. The office of the secretary, in order to carry out the requirements of IC 12-8-1-14, as added by this act, shall:

- (1) determine methods to facilitate the payment of providers participating in the Medicaid program under IC 12-15; and
- (2) submit a written report of its activities and findings to the legislative council before March 1, 2000.

**2000-7-7**

SECTION 7. Actions taken under IC 12-8-1, IC 12-8-2, IC 12-8-6, and IC 12-8-8 after June 30, 1999, and before the passage of this act are legalized and validated to the extent that those actions would have been legal and valid if this act had been adopted before July 1, 1999.

**2000-9-2**

SECTION 2. IC 35-41-4-2, as amended by this act, only applies to offenses committed after June 30, 2000.

**2000-14-87**

SECTION 87. (a) Except as provided in subsection (b), the definitions in IC 20-16-1, as added by this act, apply throughout this SECTION.

(b) As used in this SECTION, "superintendent" refers to the individual who:

- (1) was appointed under IC 16-33-2-6, before its repeal by this act; and
- (2) serves as superintendent on June 30, 1999.

(c) Before July 1, 1999, the governor shall appoint the members of the board under IC 20-16-3-2(a)(1), as added by this act. Notwithstanding IC 20-16-3-4, as added by this act, the terms of office of the members appointed by the governor expire as follows:

- (1) The term of one (1) member of the board expires July 1, 2000.
- (2) The terms of two (2) members of the board expire July 1, 2001.
- (3) The terms of two (2) members of the board expire July 1, 2002.
- (4) The terms of two (2) members of the board expire July 1, 2003.

(d) When appointing members of the board under this SECTION, the following apply:

- (1) The governor shall state, subject to subsection (c), when the term of office of each member expires.
- (2) The governor shall, notwithstanding IC 20-16-3-6, as added by this act, appoint one (1) of the members as chair of the board.

The member appointed as chair under this subdivision serves as chair until July 1, 2000, unless elected as chair under IC 20-16-3-6, as added by this act, to serve a new term.

(3) The governor may appoint the member under IC 20-16-3-2(a)(3), as added by this act, as the governor considers appropriate.

(e) The board shall hold its first meeting in July of 1999, at the school and conduct business the board considers necessary.

(f) Before December 1, 1999, the board, with input from the state department of health and the department of education, shall adopt a transition plan for the transfer of the management and oversight of the school from the state department of health to the board or the superintendent as appropriate. The board shall submit the adopted transition plan to the governor, the state health commissioner, and the department of education.

(g) Notwithstanding IC 20-16, as added by this act, the school shall be administered by the state department of health and the state health commissioner until the board certifies to the governor and the state health commissioner that the board has adopted the transition plan required by subsection (f). The school shall be administered as provided in IC 16, before its amendment by this act, to the extent not inconsistent with an orderly transition from administration of the school by the state health commissioner to administration by the board and the superintendent.

(h) After the governor and the state health commissioner receive the certification required by subsection (g), all the following apply:

(1) The state health commissioner's authority over the school ends.

(2) The board shall administer the school under IC 20-16, as added by this act.

(3) All appropriations made to the school are transferred to the board. The auditor of state shall take all necessary action to transfer the balance of appropriations and other funds belonging to the school to the board.

(4) All rules adopted under IC 4-22-2 relating to the school are considered to be the rules of the board until the board amends or repeals the rules under IC 20-16, as added by this act.

(5) All references to the school in any statute, rule, or other legal document are considered references to the school under IC 20-16, as added by this act.

The board may send copies of the certification to other state agencies the board considers necessary to permit the school to operate under IC 20-16, as added by this act.

(i) The board shall prepare and submit a report to the legislative council not later than December 31, 1999, that describes the implementation of the transition plan under this SECTION.

(j) This SECTION expires July 1, 2003.

*As added by P.L.69-1999, SEC.14. Amended by P.L.14-2000, SEC.87.*

SECTION 88. (a) This SECTION applies if the judge serving as presiding judge of the St. Joseph superior court on June 30, 1999, would otherwise, in the absence of the amendment of IC 35-5-40-2 made by this act, serve any part of the judge's term as presiding judge after June 30, 1999.

(b) The judge of the St. Joseph superior court serving as presiding judge on June 30, 1999, is the initial chief judge of the St. Joseph superior court under IC 33-5-40-23, as amended by this act, for the remainder of the judge's unexpired term as presiding judge.

*As added by P.L.196-1999, SEC.73. Amended by P.L.14-2000, SEC.88.*

#### **2000-14-89**

SECTION 89. (a) As used in this SECTION, "existing source" means a source in the reinforced plastic composites fabricating industry that:

- (1) emits styrene; and
- (2) has been issued a construction permit or an operating permit by the department of environmental management.

(b) The department of environmental management shall do the following:

- (1) Before October 1, 1999, develop written policies and procedures to address changes in estimated air pollution emissions from existing sources.
- (2) Before publication under subdivision (3), make a proposed non-rule policy document available to the following for review and comment:
  - (A) The public.
  - (B) The air pollution control board.
  - (C) The environmental quality service council.
  - (D) The clean manufacturing technology and safe materials institute.

(3) Not later than November 1, 1999, publish a non-rule policy document describing the policies and procedures that the department will use to make determinations on air construction and operating permits for existing sources.

(c) Before December 31, 2000, the air pollution control board shall adopt rules to establish appropriate standards for control of air pollution from new and existing sources in the reinforced plastic composites fabricating industry. The air pollution control board shall consider all available information when adopting the rules, including the following:

- (1) Available control technology.
- (2) Industry work practices.
- (3) Materials available to the industry.
- (4) Recommendations by the clean manufacturing technology and safe materials institute.

(d) This SECTION expires July 1, 2001.

*As added by P.L.224-1999, SEC.21. Amended by P.L.14-2000, SEC.89.*

#### **2000-16-3**

SECTION 3. Notwithstanding the repeal of IC 20-5-4-1.5, as added

by this act, the following provisions apply to bonds issued under IC 20-5-4-1.5, as added by this act, before December 2, 2000:

- (1) The bonds remain valid and binding obligations of the school corporation that issued them, as if IC 20-5-4-1.5 had not been repealed.
- (2) Each year that a debt service levy is needed for the bonds, the school corporation that issued the bonds shall reduce its total property tax levy for the school corporation's other funds in an amount equal to the property tax levy needed for the debt service on the bonds.

#### **2000-17-3**

SECTION 3. (a) The definitions set forth in IC 20-5-6-9, as added by this act, apply throughout this SECTION.

(b) A donation of proceeds of riverboat gaming to a public school endowment corporation that:

- (1) was made by a political subdivision before July 1, 2000; and
- (2) would have been permitted by IC 20-5-6-9, as added by this act, if IC 20-5-6-9 had been in effect before July 1, 2000;

is legalized and validated.

#### **2000-18-3**

SECTION 3. (a) Notwithstanding IC 21-3-1.9, as added by this act, a school corporation may not include a student participating in an alternative education program offered through the Area 30 Career Center in the school corporation's:

- (1) average daily membership;
- (2) average daily attendance; or
- (3) additional pupil count;

for the purpose of calculating the school corporation's state support for calendar year 2000 unless the requirements for counting the student are satisfied. In addition, the school corporation may not include the student in the school corporation's previous year average daily membership, average daily attendance, additional pupil count, or the school corporation's previous year revenue for the purposes of IC 21-3-1.7.

(b) This SECTION expires December 31, 2001.

#### **2000-19-4**

SECTION 4. IC 6-1.1-10-16.7, as added by this act, applies to property taxes first due and payable after December 31, 2000.

#### **2000-21-12**

SECTION 12. (a) All money remaining in the tobacco settlement fund on June 30, 2000, shall be transferred to the Indiana tobacco master settlement agreement fund established by IC 4-12-1-14.3, as amended by this act, on July 1, 2000.

(b) Notwithstanding P.L.273-1999 or IC 4-12-1-14.3, as amended by this act, the appropriations made by P.L.273-1999, SECTION 8, for the state fiscal year beginning July 1, 2000, for CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP) ASSISTANCE and

CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP)  
ADMINISTRATION:

- (1) are payable from the Indiana tobacco master settlement agreement fund established by IC 4-12-1-14.3, as amended by this act; and
- (2) are not subject to the limitation on expenditures from the fund under IC 4-12-1-14.3(d), as amended by this act.
- (c) The following amounts are appropriated from the Indiana tobacco master settlement agreement fund established by IC 4-12-1-14.3, as amended by this act, for the period beginning July 1, 2000, and ending June 30, 2001:
  - (1) Thirty-five million dollars (\$35,000,000) to be transferred to the Indiana tobacco use prevention and cessation fund for tobacco education, prevention, and use control. However, two million five hundred thousand dollars (\$2,500,000) of this amount must be used to fund minority organizations, agencies, and businesses to implement minority prevention and intervention programs.
  - (2) Twenty million dollars (\$20,000,000) to be transferred to the Indiana prescription drug fund for pharmaceutical assistance for low income senior citizens.
  - (3) Fifteen million dollars (\$15,000,000) to the state department of health for total operating expenses for either or both of the following purposes:
    - (A) Community health centers.
    - (B) Primary health care centers for children.
- (d) Ten million dollars (\$10,000,000) is appropriated from the Indiana tobacco master settlement agreement fund established by IC 4-12-1-14.3, as amended by this act, to the state department of health to cover capital costs for the period beginning July 1, 2000, and ending June 30, 2002, for community health centers.
- (e) In addition to the money appropriated under IC 6-7-1-30.5 and under P.L.273-1999, SECTION 8, one million five hundred thousand dollars (\$1,500,000) shall be transferred from the Indiana tobacco master settlement agreement fund established by IC 4-12-1-14.3, as amended by this act, to the local health maintenance fund established by IC 16-46-10-1 and is appropriated for total operating expenses of the local health maintenance fund beginning July 1, 2000, and ending June 30, 2001. The appropriation made under this subsection shall be used to make supplemental grants, in addition to the grants provided under IC 16-46-10-2, under the following schedule to each local board of health whose application for funding is approved by the state board of health:

COUNTY POPULATION	AMOUNT OF GRANT
over - 499,999	\$ 36,000
100,000 - 499,999	24,000
50,000 - 99,999	20,000
under - 50,000	14,000

**2000-21-13**

SECTION 13. (a) The Indiana University School of Medicine shall

submit proposed criteria and cost estimates to the Indiana health care trust fund advisory board concerning the establishment and funding of a research project to determine the causes and tendencies of nicotine addiction and withdrawal from nicotine addiction.

(b) The Indiana minority health coalition and Martin University shall submit proposed criteria and cost estimates to the Indiana health care trust fund advisory board concerning the establishment and funding of a minority epidemiology resource center.

(c) This SECTION expires July 1, 2003.

#### **2000-21-14**

SECTION 14. (a) Notwithstanding IC 4-12-4-7, as added by this act, the initial terms of office of the eleven (11) members appointed by the governor to the board of directors of the Indiana tobacco use prevention and cessation board under IC 4-12-4-4(c)(2), as added by this act, are as follows:

- (1) Three (3) members for a term of two (2) years.
- (2) Four (4) members for a term of three (3) years.
- (3) Four (4) members for a term of four (4) years.

(b) The initial terms begin April 1, 2000.

(c) This SECTION expires July 1, 2005.

#### **2000-21-15**

SECTION 15. (a) The Indiana prescription drug advisory committee is established to:

- (1) study pharmacy benefit programs and proposals, including programs and proposals in other states; and
- (2) make initial and ongoing recommendations to the governor for programs that address the pharmaceutical costs of low-income senior citizens.

(b) The committee consists of eleven (11) members appointed by the governor and four (4) legislative members. The term of each member expires December 31, 2001. The members of the committee appointed by the governor are as follows:

- (1) A physician with a specialty in geriatrics.
- (2) A pharmacist.
- (3) A person with expertise in health plan administration.
- (4) A representative of an area agency on aging.
- (5) A consumer representative from a senior citizen advocacy organization.
- (6) A person with expertise in and knowledge of the federal Medicare program.
- (7) A health care economist.
- (8) A person representing a pharmaceutical research and manufacturing association.
- (9) Three (3) other members as appointed by the governor.

The four (4) legislative members shall serve as nonvoting members. The speaker of the house of representatives and the president pro tempore of the senate shall each appoint two (2) legislative members, who may not be from the same political party, to serve on the committee.

(c) The governor shall designate a member to serve as chairperson. A vacancy with respect to a member shall be filled in the same manner as the original appointment. Each member is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties. The expenses of the committee shall be paid from the Indiana pharmaceutical assistance fund created by IC 4-12-8, as added by this act. The office of the secretary of family and social services shall provide staff for the committee. The committee is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3. The advisory council is a governing body for purposes of IC 5-14-1.5.

(d) Not later than September 1, 2000, the board shall make program design recommendations to the governor and the family and social services administration concerning the following:

- (1) Eligibility criteria, including the desirability of incorporating an income factor based on the federal poverty level.
- (2) Benefit structure.
- (3) Cost-sharing requirements, including whether the program should include a requirement for copayments or premium payments.
- (4) Marketing and outreach strategies.
- (5) Administrative structure and delivery systems.
- (6) Evaluation.

(e) The recommendations shall address the following:

- (1) Cost-effectiveness of program design.
- (2) Coordination with existing pharmaceutical assistance programs.
- (3) Strategies to minimize crowd-out of private insurance.
- (4) Reasonable balance between maximum eligibility levels and maximum benefit levels.
- (5) Feasibility of a health care subsidy program where the amount of the subsidy is based on income.
- (6) Advisability of entering into contracts with health insurance companies to administer the program.

(f) The committee may not recommend the use of funds from the Indiana pharmaceutical assistance fund for a state prescription drug benefit for low-income senior citizens if there is a federal statute or program providing a similar prescription drug benefit for the benefit of low-income senior citizens.

(g) This SECTION expires December 31, 2001.

#### **2000-26-47**

SECTION 47. (a) Notwithstanding IC 5-4-1-1.2, as amended by this act, an individual appointed or elected to an office of a political subdivision after November 1, 1999, and before July 1, 2000, does not vacate the office under IC 5-4-1-1.2, as amended by this act, if all of the following apply:

- (1) The individual took the oath required by IC 5-4-1-1 at any time after the individual's appointment or election.
- (2) The individual took the oath required by IC 5-4-1-1 not later than thirty (30) days after the beginning of the term of office.

(3) The oath was deposited with the appropriate office not later than December 31, 2000, under IC 5-4-1-4, as in effect July 1, 2000.

(b) This SECTION expires January 1, 2004.

#### **2000-26-48**

SECTION 48. (a) As used in this SECTION, "school corporation" refers to a school corporation covered by IC 20-3-21, as amended by this act.

(b) Notwithstanding any other law, three (3) members of the school corporation shall be elected at the primary election held on May 2, 2000, under IC 20-3-21, as amended by this act.

(c) Notwithstanding IC 20-3-21-3, the member of the governing body appointed by the mayor of the largest city contained within the school corporation under IC 20-3-21-3(b)(2) shall first be appointed by the mayor after May 2, 2000, and before July 1, 2000.

(d) This SECTION expires July 1, 2002.

#### **2000-26-49**

SECTION 49. (a) As used in this SECTION, "committee" refers to the census data advisory committee established by IC 2-5-19-2.

(b) Before January 1, 2001, the committee shall study the following:

(1) The standardization of municipal election calendars to conform to county, state, and federal elections, including the following possibilities:

(A) The elimination of town conventions under IC 3-8-5.

(B) The implementation of primaries for the nomination of candidates in small town elections.

(2) The elimination of municipal elections in odd-numbered years so that all municipal elections are held in even-numbered years with countywide elections.

Before January 1, 2001, the committee shall make recommendations regarding these subjects to the legislative council as the committee considers necessary.

(c) This SECTION expires January 1, 2001.

#### **2000-28-1**

SECTION 1. (a) The rail corridor safety committee is established.

(b) The committee consists of eight (8) members as follows:

(1) Four (4) members of the house of representatives appointed by the speaker of the house of representatives. Not more than two (2) members appointed under this subdivision may represent the same political party.

(2) Four (4) members of the senate appointed by the president pro tempore of the senate. Not more than two (2) members appointed under this subdivision may represent the same political party.

(c) The chairman of the legislative council shall designate one (1) member of the committee to be chairperson of the committee.

(d) Each member of the committee appointed under subsection (b)(1) or (b)(2) is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on

legislative study committees established by the legislative council.

(e) The committee shall do the following:

- (1) Study the safety of rail corridors, including corridors at overpasses, underpasses, and crossings.
- (2) Review railroad safety records.
- (3) Study methods of encouraging cooperation among the railroads, local government, state government, and federal government to enhance the safety of railroads.
- (4) Study other topics as assigned by the legislative council.

(f) The committee shall issue a final report to the legislative council regarding the matters listed under subsection (e) before November 1, 2005.

(g) The committee is under the jurisdiction of the legislative council and shall operate under policies and procedures established by the legislative council.

(h) Staff and administrative support for the committee shall be provided by the legislative services agency.

(i) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(j) This SECTION expires November 1, 2005.

#### **2000-32-28**

SECTION 28. The change of references in the Indiana Code from community service to community restitution or service by this act shall not be construed to:

- (1) release a person from a court order issued before July 1, 2000, requiring the person to perform community service; or
- (2) limit the power of an entity to operate any program as a community restitution program after June 30, 2000, that was operated before July 1, 2000, as a community service program.

#### **2000-36-12**

SECTION 12. IC 6-1.1-18.5-10.4, as amended by this act, applies to property taxes first due and payable after December 31, 2000.

#### **2000-40-2**

SECTION 2. (a) Notwithstanding IC 8-15-3-27, as amended by this act, the department of transportation shall carry out the duties imposed upon it by IC 8-15-3-27, as amended by this act, under interim written guidelines approved by the commissioner.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 8-15-3-27, as amended by this act.
- (2) December 31, 2000.

#### **2000-45-10**

SECTION 10. (a) At midnight, June 30, 2000, Vigo county court No. 4 is abolished.

(b) Any case pending in Vigo county court No. 4 after the close of business on June 30, 2000, is transferred on July 1, 2000, to Vigo

superior court No. 4, established by IC 33-5-44.1-1, as amended by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court in accordance with the venue requirements prescribed in Rule 75 of the Indiana Rules of Trial Procedure. A case transferred under this SECTION shall be treated as if the case were filed in Vigo superior court No. 4.

(c) On July 1, 2000, all property and obligations of Vigo county court No. 4 become the property and obligations of Vigo superior court No. 4.

(d) The initial judge of Vigo superior court No. 4 added by IC 33-5-44.1-1, as amended by this act, shall be the person who is the Vigo county court No. 4 judge on June 30, 2000. The term of the initial judge begins July 1, 2000, and ends December 31, 2004. The initial election of a judge for Vigo superior court No. 4, added by IC 33-5-44.1-1, as amended by this act, shall be the general election conducted on November 2, 2004. The term of the initial elected judge begins January 1, 2005.

(e) This SECTION expires January 1, 2006.

#### **2000-45-11**

##### **YAMD.2000**

SECTION 11. (a) At midnight, June 30, 2000, Vigo county court No. 5 is abolished.

(b) Any case pending in Vigo county court No. 5 after the close of business on June 30, 2000, is transferred on July 1, 2000, to Vigo superior court No. 5, established by IC 33-5-44.1-1, as amended by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court in accordance with the venue requirements prescribed in Rule 75 of the Indiana Rules of Trial Procedure. A case transferred under this SECTION shall be treated as if the case were filed in Vigo superior court No. 5.

(c) On July 1, 2000, all property and obligations of Vigo county court No. 5 become the property and obligations of Vigo superior court No. 5.

(d) The initial judge of Vigo superior court No. 5 added by IC 33-5-44.1-1, as amended by this act, shall be the person who is the Vigo county court No. 5 judge on June 30, 2000. The term of the initial judge begins July 1, 2000, and ends December 31, 2002. The initial election of a judge for Vigo superior court No. 5, added by IC 33-5-44.1-1, as amended by this act, shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 1, 2004.

#### **2000-45-12**

SECTION 12. (a) On July 1, 2000, the Dearborn county court is abolished.

(b) Any case pending in the Dearborn county court after the close of business on June 30, 2000, is transferred on July 1, 2000, to the Dearborn superior court established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court. A case transferred under this SECTION shall be treated as if the case were filed in the Dearborn superior court.

(c) On July 1, 2000, all property and obligations of the Dearborn county court become the property and obligations of the Dearborn superior court.

(d) The initial judge of the Dearborn superior court added by this act shall be the person who is the Dearborn county court judge on June 30, 2000. The term of the initial judge begins July 1, 2000, and ends December 31, 2002. The initial election of a judge for the Dearborn superior court added by this act shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

#### **2000-45-13**

YAMD.2000

SECTION 13. (a) On July 1, 2000, the Blackford county court is abolished.

(b) Any case pending in the Blackford county court after the close of business on June 30, 2000, is transferred on July 1, 2000, to the Blackford superior court established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court. A case transferred under this SECTION shall be treated as if the case were filed in the Blackford superior court.

(c) On July 1, 2000, all property and obligations of the Blackford county court become the property and obligations of the Blackford superior court.

(d) The initial judge of the Blackford superior court added by this act shall be the person who is the Blackford county court judge on June 30, 2000. The term of the initial judge begins July 1, 2000, and ends December 31, 2004. The initial election of a judge for the Blackford superior court added by this act shall be the general election conducted on November 2, 2004. The term of the initial elected judge begins January 1, 2005.

#### **2000-45-14**

SECTION 14. (a) On July 1, 2000, the Orange county court is abolished.

(b) Any case pending in the Orange county court after the close of business on June 30, 2000, is transferred on July 1, 2000, to the Orange

superior court established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court. A case transferred under this SECTION shall be treated as if the case were filed in the Orange superior court.

(c) On July 1, 2000, all property and obligations of the Orange county court become the property and obligations of the Orange superior court.

(d) The initial judge of the Orange superior court added by this act shall be the person who is the Orange county court judge on June 30, 2000. The term of the initial judge begins July 1, 2000, and ends December 31, 2002. The initial election of a judge for the Orange superior court added by this act shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

#### **2000-45-15**

SECTION 15. (a) On July 1, 2000, the Rush county court is abolished.

(b) Any case pending in the Rush county court after the close of business on June 30, 2000, is transferred on July 1, 2000, to the Rush superior court established by this act. All cases transferred under this SECTION that are eligible to be heard by the standard small claims and misdemeanor division shall be transferred to the standard small claims and misdemeanor division of the court. A case transferred under this SECTION shall be treated as if the case were filed in the Rush superior court.

(c) On July 1, 2000, all property and obligations of the Rush county court become the property and obligations of the Rush superior court.

(d) The initial judge of the Rush superior court added by this act shall be the person who is the Rush county court judge on June 30, 2000. The term of the initial judge begins July 1, 2000, and ends December 31, 2002. The initial election of a judge for the Rush superior court added by this act shall be the general election conducted on November 5, 2002. The term of the initial elected judge begins January 1, 2003.

(e) This SECTION expires January 2, 2003.

#### **2000-48-7**

SECTION 7. (a) IC 27-1-15.5-3, IC 27-1-15.5-7.1, and IC 27-1-15.5-7.7, all as amended by this act, apply to a license that is renewed or issued after December 31, 2000.

(b) An individual or entity who:

(1) is licensed under IC 27-1-15.5; and

(2) voluntarily surrenders the license before January 1, 2003;

may not renew the license or obtain a new license before the expiration date of the license that the individual or entity surrendered.

(c) Until the commissioner adopts rules to establish a license renewal fee under IC 27-1-15.5-7.7, as amended by this act, the license renewal fee for a license renewed or issued after December 31, 2000,

is two (2) times the fee that was charged for the license on December 31, 2000, if the license renewal period for the license was two (2) years.

(d) This SECTION expires December 31, 2003.

#### **2000-52-6**

SECTION 6. IC 20-12-19-1, as added by this act, applies to a student enrolled at a state educational institution after July 31, 2000.

#### **2000-52-7**

SECTION 7. IC 20-12-19-2, IC 20-12-19.5-1, IC 20-12-19.5-2, and IC 20-12-74-7, all as amended or added by this act, apply to a student enrolled at a state educational institution after July 31, 2000.

#### **2000-54-4**

SECTION 4. (a) IC 5-10-8-7.8, as added by this act, applies to a self-insurance program or a contract between the state and a health maintenance organization established, entered into, amended, or renewed after June 30, 2000.

(b) IC 27-8-14.8, as added by this act, applies to accident and sickness insurance policies that are issued, delivered, amended, or renewed after June 30, 2000.

(c) IC 27-13-7-17, as added by this act, applies to health maintenance organization contracts that are entered into, amended, or renewed after June 30, 2000.

(d) This SECTION expires July 1, 2004.

#### **2000-60-31**

SECTION 31. (a) 844 IAC 11-5-3(c) is void. The publisher of the Indiana Administrative Code and the Indiana Register shall remove this rule from the Indiana Administrative Code.

(b) Notwithstanding IC 25-34.5-2-10, the medical licensing board shall accept continuing education courses in the following areas toward fulfillment of the requirements under IC 25-34.5-2-10(a):

(1) Management of the practice of respiratory care.

(2) Courses concerning the practice of respiratory care that enable individuals to teach continuing education courses for respiratory care practitioners.

(3) The practice of respiratory care.

(c) This SECTION expires July 1, 2001.

#### **2000-60-32**

SECTION 32. (a) Before July 1, 2001:

(1) the respiratory care committee shall propose rules under IC 4-22-2 to implement IC 25-34.5-2-6.1, as added by this act; and

(2) the medical licensing board shall adopt rules under IC 4-22-2 to implement IC 25-34.5-2-7(1), as amended by this act;

that designate, to the extent reasonably ascertainable, all respiratory care tasks (as defined in IC 25-34.5-1-9, as added by this act).

(b) In proposing rules under subsection (a)(1), the respiratory care

committee shall receive and consider information provided by all affected health care providers, including joint consultation with the following:

(1) The Indiana Hospital and Health Association.

(2) The Indiana Society for Respiratory Care.

(c) In adopting rules under subsection (a)(2), the medical licensing board shall receive and consider information provided by all affected health care providers, including joint consultation with the following:

(1) The Indiana Hospital and Health Association.

(2) The Indiana Society for Respiratory Care.

(d) This SECTION expires July 1, 2001.

### **2000-63-3**

SECTION 3. (a) Before July 15, 2000, the bureau of motor vehicles shall deposit with the treasurer of state in the special account required by IC 9-18-2-16, as amended by this act, all donations collected by the bureau before July 1, 2000, under IC 9-18-2-16, as amended by this act. Before July 29, 2000, the auditor of state shall distribute the money deposited in the special account under this SECTION as follows:

(1) Fifty thousand dollars (\$50,000) to the Indiana Donation Alliance Foundation for the establishment of a statewide telephone donor and patient referral system.

(2) All money remaining in the special account after the payment required under subdivision (1) to the anatomical gift promotion fund established under IC 16-19-3-26, as amended by this act.

(b) This SECTION expires July 1, 2001.

### **2000-65-1**

SECTION 1. (a) The lake management work group is established. The activities of the work group established by this SECTION shall be directed to problems and issues associated with lakes that meet the definition of a public freshwater lake set forth in IC 14-26-2-3.

(b) The work group consists of twenty-six (26) members appointed as follows:

(1) Four (4) members of the general assembly, consisting of:

(A) two (2) members of the house of representatives who may not be members of the same political party, appointed by the speaker of the house of representatives; and

(B) two (2) members of the senate who may not be members of the same political party, appointed by the president pro tempore of the senate.

(2) Three (3) representatives of the department of natural resources, at least one (1) of whom must be an officer in the division of law enforcement.

(3) The commissioner of the department of environmental management or the commissioner's designee.

(4) One (1) representative of the Indiana Lake Management Society or a similar organization of citizens concerned about lakes. This member is appointed by the governor.

(5) One (1) representative of the Natural Resources Conservation Service of the United States Department of Agriculture appointed

by the governor upon the recommendation of the Natural Resources Conservation Service.

(6) One (1) representative of soil and water conservation districts organized under IC 13-3-1 or IC 14-32-3 (before their repeal). This member is appointed by the governor.

(7) Ten (10) members appointed by the governor, each of whom is:

- (A) a participant in lake related recreational activities;
- (B) a resident of a lake area;
- (C) the owner or operator of a lake related business; or
- (D) interested in the natural environment of the lakes of Indiana.

(8) One (1) representative of the United States Army Corps of Engineers appointed by the governor upon the recommendation of the commander of the Louisville District of the United States Army Corps of Engineers.

(9) One (1) representative of an agricultural organization. This member is appointed by the governor.

(10) One (1) representative of an environmental organization. This member is appointed by the governor.

(11) Two (2) other individuals appointed by the governor as at-large members.

(c) When appointing two (2) members of the house of representatives to the work group under subsection (b)(1)(A), the chairperson of the legislative council shall appoint one (1) of the representatives as the chairperson of the work group to serve beginning July 1, 2000, and ending June 30, 2001.

(d) When appointing two (2) members of the senate to the work group under subsection (b)(1)(B), the chairperson of the legislative council shall appoint one (1) of the senators as the chairperson of the work group beginning on the date of the appointment and ending June 30, 2000. The chairperson of the legislative council shall again appoint one (1) senator as chairperson of the work group to serve beginning July 1, 2001 and ending June 30, 2002. The work group shall meet at the call of the chairperson, however, the work group shall meet not less than two (2) times each year.

(e) To fill the positions created by subsection (b)(7), the governor shall appoint one (1) resident of each of the ten (10) congressional districts in Indiana. Each individual who was appointed by the governor as a member of the work group on December 31, 1999, under P.L.239-1997 (before its expiration) is appointed to serve on the work group until the governor appoints a successor.

(f) Each legislative member of the work group is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative members of interim study committees established by the legislative council.

(g) Each lay member of the work group who is not a state employee is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as lay members of interim study committees established by the legislative council.

(h) The legislative council shall establish a budget for the work

group to pay for per diem, mileage, and travel allowances.

(i) The work group is under the direction of the department of natural resources. The department may contract with a facilitator to facilitate the work of the work group. The department of natural resources shall staff the work group.

(j) The work group shall do the following:

(1) Monitor, review, and coordinate the implementation of the work group's recommendations issued under P.L.239-1997.

(2) Facilitate collaborative efforts among commonly affected state, county, and local governmental entities in cooperation with lake residents and related organizations.

(3) Conduct public meetings to hear testimony and receive written comments concerning the implementation of the work group's recommendations.

(4) Develop proposed solutions to problems concerning the implementation of the work group's recommendations.

(5) Issue reports to the natural resources study committee when directed to do so.

(6) Review all funding that is currently being utilized for Indiana's waterways, including potential sources that could be used as a resource for the Indiana General Assembly to correct funding problems.

(7) Issue:

(A) an interim report before July 1, 2001; and

(B) a final report before July 1, 2002.

(k) The affirmative votes of a majority of the members appointed to the work group are required for the work group to take action on any measure, including final reports.

(l) The work group shall make its reports available to:

(1) the natural resources study committee;

(2) the department of natural resources; and

(3) the public.

(m) This SECTION expires July 1, 2002.

## **2000-66-2**

SECTION 2. Notwithstanding IC 5-10-10-6, the amount of the special death benefit payable under IC 5-10-10, as amended by this act, to the surviving spouse of a probation officer who died in the line of duty after April 27, 1997, and before January 1, 1998, is one hundred fifty thousand dollars (\$150,000).

## **2000-68-1**

SECTION 1. (a) The amendment to Article 7, Section 4 of the Constitution of the State of Indiana agreed to by the One Hundred Tenth General Assembly (P.L.132-1998) and the One Hundred Eleventh General Assembly (P.L.274-1999) shall be submitted to the electors of the state at the 2000 general election in the manner provided for the submission of constitutional amendments under IC 3.

(b) Under Article 16, Section 1 of the Constitution of the State of Indiana, which requires the general assembly to submit constitutional amendments to the electors at the next general election after the general

assembly agrees to the amendment referred to it by the last previously elected general assembly, and in accordance with IC 3-10-3, the general assembly prescribes the form in which the public question concerning the ratification of this state constitutional amendment must appear on the 2000 general election ballot as follows:

**"PUBLIC QUESTION #1**

Shall Article 7, Section 4 of the Constitution of the State of Indiana be amended so that criminal appeals from a sentence of life imprisonment or a prison term of more than fifty years follow the same path through the Court of Appeals to the Indiana Supreme Court that civil appeals do?"

(c) This SECTION expires January 1, 2001.

**2000-71-19**

SECTION 19. (a) Notwithstanding IC 15-5-1.1-19, as amended by this act, the Indiana board of veterinary medical examiners shall renew and place on inactive status a license or registration that expired in 1999, if the former licensee or registrant requests renewal and inactive status in writing not later than July 1, 2001.

(b) This SECTION expires July 1, 2002.

**2000-73-3**

SECTION 3. IC 4-4-6.1-1.1 and IC 6-3.1-7-2, both as amended by this act, apply to taxable years beginning after December 31, 1999.

**2000-74-1**

SECTION 1. (a) The department of correction, in cooperation with the office of the secretary of family and social services, shall conduct a study of individuals with developmental disabilities who are:

- (1) incarcerated; and
- (2) considered to be adults (as defined in IC 11-8-1-2).

(b) The study conducted under subsection (a) must include the following:

- (1) The number of individuals described in subsection (a) who are identified after October 31, 1999, through current intake testing procedures.
- (2) The types of crimes for which individuals with developmental disabilities are convicted.

(c) The department of correction and the office of the secretary of family and social services shall report their findings to the Indiana commission on mental retardation and developmental disabilities not later than September 30, 2000.

(d) The report required under subsection (c) must include recommendations for a comprehensive study of the criminal justice system and individuals with developmental disabilities who are incarcerated, on parole, or on probation. The study recommended under this subsection must include as an objective a comparison of the length of time actually served by individuals with developmental disabilities and the length of time actually served for similar offenses by individuals without developmental disabilities.

(e) This SECTION expires December 31, 2000.

**2000-75-5**

SECTION 5. (a) The governor shall make the initial appointments to the Indiana hypnotist committee established by IC 25-20.5-1-7, as added by this act, before July 1, 1997.

(b) Notwithstanding IC 25-20.5-1-7, as added by this act, the initial terms of office of the members of the Indiana hypnotist committee are as follows:

(1) One (1) hypnotist member and the licensed psychologist member for terms of one (1) year.

(2) One (1) hypnotist member and the consumer member for terms of two (2) years.

(3) One (1) hypnotist member and the physician member for terms of three (3) years.

(c) Notwithstanding IC 25-20.5-1-7, as added by this act, an individual appointed to the Indiana hypnotist committee as a member under this SECTION does not need to be certified as a hypnotist. However, a hypnotist member must have completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has requirements as stringent as required in Indiana. No two (2) hypnotist members appointed to the Indiana hypnotist committee may belong to the same professional hypnosis association (as defined by IC 25-20.5-1-6).

(d) Notwithstanding IC 25-20.5-1-15, as added by this act, an individual who applies for certification to the Indiana hypnotist committee before January 1, 2005, may:

(1) be certified as a hypnotist without being required to take the examination if the individual has completed at least three hundred (300) supervised classroom hours of hypnotism education from a school that is approved by the Indiana commission on proprietary education under IC 20-1-19 or by any other state that has requirements as stringent as required in Indiana; or

(2) take the examination, notwithstanding the individual's failure to meet the requirements of IC 25-20.5-1-10(a)(1)(C), as added by this act, if the individual meets the other requirements under IC 25-20.5-1-10, as added by this act, and has had at least ten (10) years of continued experience in hypnotism or has completed before July 1, 1997, a course in hypnotism from a state approved school that included less than three hundred (300) classroom hours.

(e) This SECTION expires July 1, 2005.

*As added by P.L.175-1997, SEC.8. Amended by P.L.75-2000, SEC.5.*

**2000-78-4**

SECTION 4. (a) IC 5-10-8-7.7, as added by this act, applies to a self-insurance program or a contract to provide health services through a prepaid health care delivery plan that is established, delivered, entered into, or renewed after June 30, 2000.

(b) IC 27-8-14.1, as added by this act, applies to policies issued, delivered, amended, or renewed after June 30, 2000.

(c) IC 27-13-7-14.5, as added by this act, applies to contracts entered into, delivered, amended, or renewed after June 30, 2000.

(d) This SECTION expires July 1, 2002.

**2000-82-20**

SECTION 20. The rules adopted by the board of registration for architects before July 1, 2000, are considered, after June 30, 2000, to be rules of the board of registration for architects and landscape architects.

**2000-85-7**

SECTION 7. (a) The treasurer of state, the board for depositories, the Indiana commission for higher education, and the state student assistance commission shall cooperate and provide to the Indiana education savings authority the following:

- (1) Clerical and professional staff and related support.
- (2) Office space and services.
- (3) Reasonable financial support for the development of rules, policies, programs, and guidelines, including authority operations and travel.

(b) This SECTION expires July 1, 2001.

*As added by P.L.165-1996, SEC.3. Amended by P.L.85-2000, SEC.7.*

**2000-88-2**

SECTION 2. IC 27-1-13-3.5, as amended by this act, applies to financial statements filed by an insurer after December 31, 1999.

**2000-90-24**

SECTION 24. IC 11-10-11.5, as amended by this act, applies only to persons whose community transition program commencement date (as defined in IC 11-10-11.5-6, as amended by this act), occurs after August 31, 1999.

**2000-93-5**

SECTION 5. (a) Not later than May 1, 2000, each school corporation shall do the following:

- (1) Adjust its September 1999 ADM count to take into consideration the provisions of IC 21-3-1.6-1.2, as added by this act, regardless of the effective date of IC 21-2-1.6-1.2.
- (2) Report the adjusted ADM count to the department of education.

(b) The provisions of IC 21-3-1.6-1.2, as added by this act, do not apply to:

- (1) the 2000 calculation of tuition support for school corporations under IC 21-3-1.7-8;
- (2) ADM for 2000 when determining at risk distributions under IC 21-3-1.7-9.7;
- (3) the 2000 calculation of primetime under IC 21-1-30; or
- (4) ADM for 2000 when determining adjusted ADM under IC 21-3-1.7-6.6.

(c) This SECTION expires July 1, 2002.

**2000-93-6**

SECTION 6. (a) Notwithstanding IC 21-3-1.6-1.2, as added by this act, and IC 21-3-1.7, the tuition support determined under IC 21-3-1.7-8 for a school corporation shall be reduced as follows:

(1) For 2001, the previous year's revenue determined without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount determined under the following STEPS:

STEP ONE: Determine the difference between:

(A) the school corporation's average daily membership count for 2000, without regard to IC 21-3-1.6-1.2, as added by this act; minus

(B) the school corporation's average daily membership count for 2000, as adjusted by the school corporation under this act after applying IC 21-3-1.6-1.2, as added by this act.

STEP TWO: Determine the result of:

(A) the school corporation's previous year's revenue under IC 21-3-1.7-3.1, without regard to IC 21-3-1.6-1.2, as added by this act; divided by

(B) the school corporation's average daily membership for 2000, without regard to IC 21-3-1.6-1.2, as added by this act.

STEP THREE: Multiply the STEP ONE result by the STEP TWO result.

STEP FOUR: Multiply the STEP THREE result by one-third ( $\frac{1}{3}$ ).

(2) For 2002, the previous year revenue determined without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount equal to the result under STEP FOUR of subdivision (1) multiplied by one and three-hundredths (1.03).

(3) For 2003, the previous year revenue determined without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount equal to the reduction amount under subdivision (2) multiplied by one and three-hundredths (1.03).

(b) This SECTION expires January 1, 2004.

**2000-93-7**

SECTION 7. (a) Notwithstanding IC 21-3-1.6-1.2, as added by this act, and IC 21-3-1.7-6.6, for 2001, a school corporation's "adjusted ADM", for purposes of IC 21-3-1.7, is determined under the following STEPS:

STEP ONE: Determine the school corporation's adjusted ADM under IC 21-3-1.7-6.6 for 2001. For purposes of determining adjusted ADM for 2001, 2000 ADM is without regard to IC 21-3-1.6-1.2.

STEP TWO: Determine the difference between:

(A) the school corporation's average daily membership count for 2000, without regard to IC 21-3-1.6-1.2, as added by this act; minus

(B) the school corporation's average daily membership count for 2000, as adjusted by the school corporation under this act after applying IC 21-3-1.6-1.2, as added by this act.

STEP THREE: Multiply the STEP TWO result by twenty-seven percent (27%).

STEP FOUR: Determine the greater of zero (0) or the result of:

(A) the school corporation's average daily membership count for 2001; minus

(B) the school corporation's average daily membership count for 2000, as adjusted by the school corporation under this act after applying IC 21-3-1.6-1.2, as added by this act, regardless of the effective date of IC 21-3-1.6-1.2.

STEP FIVE: Multiply the STEP FOUR result by twenty-seven percent (27%).

STEP SIX: Determine the greater of zero (0) or the result of:

(A) the STEP THREE result; minus

(B) the STEP FIVE result.

STEP SEVEN: Determine the result of:

(A) the STEP ONE result; minus

(B) the STEP SIX result.

(b) This SECTION expires January 1, 2004.

#### **2000-93-8**

SECTION 8. (a) Notwithstanding IC 21-3-1.6-1.2, as added by this act, and IC 21-1-30, the primetime distribution determined under IC 21-1-30 for a school corporation shall be reduced as follows:

(1) For 2001, the primetime amount under IC 21-1-30 the school corporation received for the previous year without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount determined under the following STEPS:

STEP ONE: Determine the difference between:

(A) the school corporation's primetime distribution for 2000, without regard to IC 21-3-1.6-1.2, as added by this act; minus

(B) the school corporation's primetime distribution for 2000, after applying IC 21-3-1.6-1.2, as added by this act.

STEP TWO: Multiply the STEP ONE result by one-third (1/3).

(2) For 2002 through 2003, the primetime amount under IC 21-1-30 that the school corporation received for the previous year without regard to IC 21-3-1.6-1.2, as added by this act, shall be reduced by an amount equal to the result under STEP TWO of subdivision (1).

(b) This SECTION expires January 1, 2004.

#### **2000-94-3**

SECTION 3. (a) If both of the following apply, a local water utility may, but is not required to, adjust its rates under IC 8-1-32, as added by this act, upon approval by the Indiana utility regulatory commission:

(1) The local water utility has undertaken a project requested by a municipal council and confirmed by an appropriate health agency under P.L.221-1997, SECTION 2, before July 1, 2000.

(2) The local water utility has not adjusted its rates as permitted by P.L.221-1997, SECTION 2.

(b) This SECTION expires July 1, 2001.

**2000-96-9**

SECTION 9. (a) The department of education and the state board of tax commissioners shall select pilot school corporations under subsection (b). Beginning January 1, 1997, the school corporations selected under subsection (b) shall comply with SECTIONS 1 through 18 of this act as if those SECTIONS were effective January 1, 1997.

(b) Before October 1, 1996, the department of education and the state board of tax commissioners shall meet to select ten (10) pilot school corporations. The pilot school corporations shall be selected with the objective that the pilot school corporations collectively represent a broad range of the different types and sizes of school corporations that exist in Indiana. In order to achieve this objective, the department of education and the state board of tax commissioners shall select the pilot school corporations based on the following criteria:

- (1) The size of the student population within the corporation.
- (2) The size of the geographic territory served by the corporation.
- (3) The average growth of the property tax assessed valuation within the corporation's district over the preceding three (3) years.
- (4) The growth or decline of the ADM (as defined in IC 21-3-1.6-1.1) within the corporation over the preceding three (3) years, excluding any year in which there is a general reassessment.
- (5) The extent of urban development in the corporation.
- (6) Any other factors the department of education and the state board of tax commissioners determine are necessary to distinguish a group or category of school corporations that deserve representation by a pilot school corporation.

(c) All state and local governmental officials whose official functions relate to this act shall cooperate with the department of education, the state board of tax commissioners, and the pilot school corporations to implement this act.

*As added by P.L.50-1996, SEC.153. Amended by P.L.96-2000, SEC.9.*

**2000-97-1**

SECTION 1. (a) As used in this SECTION, "historical society" refers to the Anson Wolcott Historical Society, Inc.

(b) As used in this SECTION, "Princeton Township" refers to Princeton Township in White County.

(c) As used in this SECTION, "real estate" refers to the real estate and improvements that are:

- (1) held by Princeton Township; and
- (2) generally known as:
  - (A) the Wolcott House and Grounds that are located in a tract of land out of the Northeast Quarter of Section 25, Township 27 North, Range 6 West in Princeton Township, White County, Indiana, and described more fully as follows:

Beginning at a point 240 feet north of the intersection of the North line of School Street with the West line of Range Street in the town of Wolcott, and running thence North 87 degrees and 33 minutes West 240 feet; thence South 40 feet; thence North 87 degrees and 33 minutes West 642 feet

along the North side of Wolcott Fifth Addition; thence North 1 degree and 39 minutes East 501.2 feet; thence South 88 degrees and 50 minutes East 626.9 feet; thence South 78 feet; thence East 240 feet; thence South 408 feet to the point of beginning, containing 9.56 acres, more or less; and

(B) the Wolcott farm that is located in the Northwest Quarter of Section 18, Township 27 North, Range 5 West, containing 129.5 acres, and 29.5 acres off the North side of said Southwest Quarter of Section 18, Township 27 North, Range 5 West; in all comprising 159 acres, more or less. Except that part or the Southwest Quarter of Section 18, Township 27 North, Range 5 West in Princeton Township, White County, Indiana, described by:

Commencing at the Southwest Corner of the Southwest Quarter of Section 18; thence North 00 degrees 59 minutes 12 seconds West along the Section Line and the centerline of County Road 900 West, a distance of 2,032.49 feet to the point of beginning; thence North 00 degrees 59 minutes 12 seconds West along the Section line and the center line of County Road 900 West, a distance of 431.38 feet; thence north 89 degrees 00 minutes 48 seconds East, a distance of 215.6 feet; thence South 00 degrees 59 minutes 12 seconds East, a distance of 428.72 feet, thence South 88 degrees 18 minutes 26 seconds West along an existing fence and possession line, a distance of 215.62 feet to the point of beginning, containing 2.128 acres.

(d) The trustee of Princeton Township may transfer the real estate or a portion of the real estate to the historical society without:

(1) receiving compensation from the historical society for the real estate; and

(2) complying with IC 36-1-11 or any other applicable law relating to the transfer of real property by Princeton Township.

(e) To transfer the real estate or a portion of the real estate to the historical society, the Princeton Township trustee must give the historical society a deed to the real estate or portion of the real estate. The deed for the real estate or portion of the real estate must contain the following provisions:

(1) That the historical society may not transfer the real estate to another entity.

(2) That if the historical society ceases to exist the real estate reverts to the Princeton Township. However, if the office of the township trustee is no longer in existence when the historical society ceases to exist, then the White County circuit court shall:

(A) place a notice in a publication of general circulation in Princeton Township to receive comments from the citizens of Princeton Township concerning the real estate; and

(B) appoint a trustee and advisory board consisting of residents of Princeton Township to oversee the real estate.

(f) The historical society must record the deed given under subsection (e).

(g) The Princeton Township trustee may give to the historical

society equipment, artifacts, and other personal property owned by Princeton Township that are relevant to the history of Anson Wolcott or the Anson Wolcott real estate.

(h) This SECTION expires July 1, 2002.

#### **2000-98-31**

SECTION 31. (a) This SECTION applies to a township having a population of more than six hundred (600) but less than six hundred thirty-five (635) located in a county having a population of more than twelve thousand six hundred (12,600) but less than thirteen thousand (13,000).

(b) Notwithstanding IC 36-1-8-4, a township may transfer eight thousand two hundred dollars (\$8,200) from the township's fire fund to the township's general fund. The township is not required to return the money to the fire fund.

(c) A township may reduce the maximum permissible levy for the township's fire fund under IC 6-1.1-18.5 by four thousand dollars (\$4,000). The township may increase the maximum permissible levy for the township's general fund under IC 6-1.1-18.5 by four thousand dollars (\$4,000).

(d) This SECTION applies to property taxes first due and payable after December 31, 2000.

(e) This SECTION expires December 31, 2001.

#### **2000-100-1**

SECTION 1. (a) The office of the secretary of family and social services shall develop and submit to the federal Health Care Financing Administration proposals to do the following:

- (1) Fund adult foster care and assisted living services through the Medicaid waiver program.
- (2) Expand adult day care services available through the aged and disabled Medicaid waiver.

(b) The proposals under subsection (a) must be reviewed by the community and home options to institutional care for the elderly and disabled (CHOICE) board established under IC 12-10-11 before the proposals are submitted to the federal Health Care Financing Administration regarding the following:

- (1) The definitions of adult foster care and assisted living.
- (2) The number of individuals to be served by each waiver.
- (3) The schedule of services to be delivered to individuals served by each waiver.
- (4) Consumer eligibility standards established for each waiver.
- (5) The means for expanding adult day care services.
- (6) The number of individuals to be served by expanded adult day care services.
- (7) Administrative oversight standards for each waiver described in this SECTION.

(c) The office of the secretary of family and social services must receive input from affected providers and consumers when drafting the language of applications for Medicaid waivers described in this SECTION.

(d) The office of the secretary of family and social services may submit the proposals described in this SECTION to the federal Health Care Financing Administration as amendments to existing waivers.

(e) The proposals described in this SECTION must be submitted to the federal Health Care Financing Administration before October 1, 2000.

(f) The office of the secretary of family and social services shall report to the legislative council, the governor, and the CHOICE board before January 1, 2001, regarding implementation of the provisions of this SECTION.

(g) This SECTION expires January 1, 2002.

#### **2000-101-12**

SECTION 12. (a) For each township contained in a particular county, the county auditor shall determine the amount, if any, of the unencumbered balance held by the county in the township's poor relief account as of January 1, 2001. The county shall transfer the amount determined for each township to the respective township not later than January 10, 2001.

(b) This SECTION expires January 11, 2001.

#### **2000-102-3**

SECTION 3. (a) Notwithstanding IC 25-14-1-27.1, the state board of dental examiners may classify a dental license as inactive if the board receives written notification from a licensed dentist stating that the licensed dentist retired from the practice of dentistry in Indiana after July 1, 1990, and before July 1, 1995, and the dentist can demonstrate to the board that the dentist is fit to resume the practice of dentistry.

(b) This SECTION expires July 1, 2000.

#### **2000-103-3**

SECTION 3. (a) This SECTION applies to a county plan commission that did not have a township trustee appointed to the plan commission as a member in accordance with IC 36-7-4-208(a)(5) on or after October 1, 1999.

(b) The acts of the plan commission taken after September 30, 1999, and before the effective date of IC 36-7-4-208, as amended by this act, are legalized.

#### **2000-105-2**

SECTION 2. (a) As used in this SECTION, "board" has the meaning set forth in IC 15-6-4-1, as added by this act.

(b) As used in this SECTION, "commissioner" refers to the commissioner of agriculture or the commissioner's designee.

(c) As used in this SECTION, "producer" has the meaning set forth in IC 15-6-4-6, as added by this act.

(d) Notwithstanding IC 15-6-4-10 through IC 15-6-4-11, as added by this act, the commissioner shall, not later than thirty (30) days after the effective date of this act:

(1) determine:

- (A) the percentage of the state's milk marketings produced by each producer registered with the state board of animal health or the United States Department of Agriculture; and
  - (B) the number of representatives, if any, each producer is entitled to have on the board; and
- (2) inform each producer described in subdivision (1)(A) of the determinations made under subdivision (1).
- (e) The commissioner shall make the determinations required under this SECTION based upon:
  - (1) the 1999 year-end milk marketing figures from the United States Department of Agriculture; and
  - (2) the formula prescribed under IC 15-6-4-12, as added by this act.
- (f) Notwithstanding IC 15-6-4-12, as added by this act, the commissioner shall appoint the initial members of the board. Not later than thirty (30) days after receiving a notice from the commissioner under subsection (d), a producer or group of producers entitled to representation on the board may submit nominations to the commissioner for initial board members.
- (g) A producer or group of producers may submit two (2) nominations for each initial board member to which the producer or group of producers is entitled.
- (h) Not later than thirty (30) days after the close of the period for initial submission of nominations under subsection (g), the commissioner shall appoint initial board members from among the nominations made in accordance with IC 15-6-4-12, as added by this act.
- (i) If a producer or group of producers entitled to representation on the initial board fails to submit a nomination, the commissioner may appoint any individual who meets the requirements of IC 15-6-4-9(c), as added by this act, to represent the producer or group of producers.

### **2000-105-3**

SECTION 3. (a) Notwithstanding IC 15-6-4-13(a), as added by this act, the terms of the initial members of the dairy industry development board must be staggered so that:

- (1) one-third (1/3) of the members are appointed for terms of one (1) year;
  - (2) one-third (1/3) of the members are appointed for terms of two (2) years; and
  - (3) one-third (1/3) of the members are appointed for terms of three (3) years.
- (b) The commissioner of agriculture shall determine which members are to be appointed for a term of one (1) year, two (2) years, or three (3) years under subsection (a).
- (c) This SECTION expires January 1, 2004.

### **2000-107-2**

SECTION 2. (a) This SECTION applies to the circuit and superior courts of a county having a population of more than three hundred thousand (300,000) but less than four hundred thousand (400,000) in

which dissolution of marriage actions are filed.

(b) Notwithstanding IC 33-19-5-4, if a county meets the requirements of this SECTION, the clerk of the court shall collect from the party filing a dissolution of marriage action under IC 31 after December 31, 1997, a civil costs fee of one hundred twenty dollars (\$120). Within thirty (30) days after the clerk collects a fee, the clerk shall forward to the county auditor the difference between the fees collected under this subsection and the fees that would have been collected under IC 33-19-5-4. The county auditor shall deposit the fees forwarded by the clerk under this subsection into the alternative dispute resolution fund of the court for which the fees were collected.

(c) There is established an alternative dispute resolution fund for the circuit court and an alternative dispute resolution fund for the superior court. The exclusive source of money for each fund shall be the fees collected under subsection (b) for the circuit or superior court, respectively. The funds shall be used to foster alternative dispute resolution, including mediation, reconciliation, and parental counseling. Litigants referred by the court to services covered by the fund shall be required to make a copayment for the services in an amount determined by the court. The funds shall be administered by the circuit or superior court, respectively. Money in each fund at the end of a fiscal year does not revert to the county general fund, but remains in the fund for the uses specified in this subsection.

(d) A county desiring to participate in the program under this SECTION must submit an initial plan to the Indiana judicial conference not later than September 30, 1997. The plan must include information concerning how the county proposes to carry out the purposes of the alternative dispute resolution fund as set out in subsection (c). The judicial conference shall determine from the plan submitted under this subsection whether to approve the county's participation in the program. The county may amend the plan submitted under this subsection at any time with the approval of the judicial conference. The judicial conference may request such additional information from the county as necessary to assist in a determination under this subsection.

(e) A county that participates in the program under this SECTION shall submit a report to the Indiana judicial conference not later than December 31, 1999, summarizing the results of the program through 1999. The county shall submit a final report to the Indiana judicial conference not later than December 31, 2001.

(f) This SECTION expires July 1, 2002.

*As added by P.L.199-1997, SEC.7. Amended by P.L.107-2000, SEC.2.*

## **2000-112-6**

SECTION 6. (a) As used in this SECTION, "department" refers to the department of environmental management.

(b) The department shall prepare a report that includes the following:

(1) A comprehensive and detailed report that:

(A) describes plans for restoration of the White River; and

(B) sets forth the department's recommendations for changes

in statutes, rules, or procedures and practices of the department to:

- (i) reduce the probability of contamination events; and
- (ii) improve the timeliness and efficiency of protocols and procedures for notice to affected entities if such an event occurs in the future.

(2) A complete list of all events of contamination of waters of the state after December 31, 1994, in which fish or other aquatic species were killed and in which civil penalties were imposed under IC 13-30-4 (or under the law that governed the imposition of civil penalties before the enactment of IC 13-30-4), including the following:

- (A) A description of the contamination event.
- (B) The date the contamination event occurred.
- (C) The entity on which the civil penalty was imposed.
- (D) The total amount of the civil penalty imposed.

(c) Before November 30, 2000, the department shall deliver the report described in subsection (b) to:

- (1) the executive director of the legislative services agency for distribution to members of the legislative council;
- (2) the environmental quality service council;
- (3) the governor; and
- (4) the lieutenant governor.

(d) The environmental quality service council shall:

- (1) study the report delivered to it under subsection (c); and
- (2) make recommendations to the general assembly before January 1, 2002.

#### **2000-112-7**

SECTION 7. 326 IAC 2-1.1-3(b)

is void.

#### **2000-112-8**

SECTION 8. (a) A reference in this SECTION to a provision of the Indiana Administrative Code or Code of Federal Regulations includes a reference to a successor provision.

- (b) "Construction" has the meaning set forth in 326 IAC 1-2-21.
- (c) "Modification" has the meaning set forth in 326 IAC 1-2-42.
- (d) "Operation" has the meaning set forth in 326 IAC 2-1.1-1(11).
- (e) "Process" has the meaning set forth in 326 IAC 2-1.1-1(17).
- (f) "Regulated pollutant" has the meaning set forth in 326

IAC 1-2-66.

(g) Where a rule of the air pollution control board lists emission units, operations, or processes of which construction or modification are exempt from the requirement to obtain a registration, permit, modification approval, or permit revision, the air pollution control board may not condition such exemption on whether the potential to emit any regulated pollutant from the construction or modification exceeds an emission threshold establishing the requirement to obtain a registration, permit, modification approval, or permit revision under 326 IAC 2.

- (h) This SECTION does not apply to construction or modification:
- (1) subject to federal prevention of significant deterioration requirements as set out in 326 IAC 2-2 and 40 CFR 52.21;
  - (2) subject to nonattainment new source review requirements as set out in 326 IAC 2-3;
  - (3) at a source that has an operation permit issued under 326 IAC 2-7, where the construction or modification would be considered a Title I modification under 40 CFR Part 70; or
  - (4) that would result in the source needing to make a transition to an operating permit issued under 326 IAC 2-6.1, 326 IAC 2-7, or 326 IAC 2-8.

**2000-112-9**

SECTION 9. (a) Before January 1, 2002, the air pollution control board shall amend 326 IAC 2-1.1-3 to reflect SECTION 7 of this act.

- (b) This SECTION expires on the earlier of the following:
- (1) The effective date of the rule amendment adopted under subsection (a).
  - (2) January 1, 2002.

**2000-118-29**

SECTION 29. (a) The 1977 fund advisory committee established by IC 36-8-8-4 shall before November 1, 2000, determine which surviving spouses, children, or parents receiving benefits under IC 36-8-6, IC 36-8-7, or IC 36-8-7.5 are survivors of police officers or firefighters who died in the line of duty before September 1, 1982.

- (b) This SECTION expires January 1, 2002.

**2000-124-6**

YAMD.2000

SECTION 6. (a) A judge of the Delaware superior court under IC 33-5-12.1 (repealed by this act) serving on the Delaware superior court on June 30, 2000, is entitled to serve as a judge of the Delaware circuit court created by IC 33-4-12, as added by this act, for a term beginning July 1, 2000. The judge may serve as judge of the Delaware circuit court under IC 33-4-12, as added by this act, until expiration of the Delaware superior court term that the judge was serving on June 30, 2000.

(b) The superior court for Delaware County is abolished as of July 1, 2000, and all matters pending in the Delaware superior court on June 30, 2000, shall be transferred to the Delaware circuit court in accordance with the venue requirements prescribed under Rule 75 of the Indiana Rules of Trial Procedure. These matters have the same effect as if originally filed in or issued by the Delaware circuit court.

- (c) This SECTION expires January 1, 2003.

**2000-124-7**

SECTION 7. Floyd superior court and Floyd circuit court shall provide for the orderly transfer of probate and trust cases from the Floyd superior court to the Floyd circuit court upon the effective date

of this SECTION. IC 33-5-18.1-3, as amended by this act, does not apply to orders issued by the Floyd superior court before the effective date of IC 33-5-18.1-3, as amended by this act. A proceeding or order of the Floyd superior court in a probate or trust matter conducted or issued before the effective date of IC 33-5-18.1-3, as amended by this act, shall be treated on and after the effective date of IC 33-5-18.1-3, as amended by this act, as if the proceeding or order was conducted or ordered by the Floyd circuit court.

#### **2000-126-8**

SECTION 8. (a) This SECTION applies to a property owner that:

- (1) before January 1, 1999, received a notice from a consolidated city that offered to provide assessed value deductions to the property owner under IC 6-1.1-12.1;
- (2) has fulfilled all expectations of the consolidated city concerning job creation or retention, capital investment, and other requirements imposed by the consolidated city; and
- (3) is not eligible for the assessed value deductions described in the agreement because of the failure of the property owner or the consolidated city, or both, to comply with one (1) or more requirements of IC 6-1.1-12.1.

(b) Notwithstanding IC 6-1.1-12.1, the consolidated city may grant the assessed value deductions described in subsection (a) if, before July 1, 2000, both the property owner and the consolidated city complete all the procedures required by IC 6-1.1-12.1 that would have been necessary to comply with IC 6-1.1-12.1 and grant the deductions described in subsection (a).

(c) Assessed value deductions granted under this SECTION apply to property taxes first due and payable after December 31, 1997. However, the interest provided for in IC 6-1.1-37-11 does not apply to a property tax refund due the property owner as a result of this SECTION.

(d) This SECTION expires July 2, 2000.

#### **2000-126-9**

SECTION 9. IC 6-1.1-10-16, as amended by this act, applies to assessments for March 1, 2000, and property taxes first due and payable after December 31, 2000.

#### **2000-129-1**

SECTION 1. (a) As used in this SECTION, "department" refers to the department of environmental management.

(b) As used in this SECTION, "excess liability fund" refers to the underground petroleum storage tank excess liability trust fund established by IC 13-23-7-1.

(c) Before September 1, 2000, the department shall develop a nonrule policy document under IC 13-23 to address the circumstances in which a spill or release from an underground storage tank may have migrated to real property that is owned or operated by a person or entity that does not own or operate the site where the underground storage tank is located. The nonrule policy document shall address the following:

- (1) Guidance for addressing the need for a responsible party to undertake a reasonable, good faith effort to obtain access to offsite property impacted by a petroleum release or spill.
- (2) Guidance for addressing:
  - (A) when the department may issue an order granting a responsible party offsite access; and
  - (B) the department's subsequent exercising of its discretion in pursuing an enforcement action against a responsible party for failing to determine the extent of offsite contamination.
- (3) Guidance for addressing when the department and its excess liability trust fund may approve for reimbursement under that fund the costs of a responsible party's investigation and remediation efforts, including an initial site characterization and corrective action plan, when offsite contamination has not been fully delineated because of lack of offsite access.
- (d) The department shall work with interested stakeholders in developing the nonrule policy document and keep the environmental quality service council apprised of its efforts to develop the nonrule policy document.
- (e) This SECTION expires January 1, 2001.

#### **2000-130-2**

SECTION 2. (a) IC 20-12-61-2, as amended by this act, is intended to clarify the mission of Ivy Tech State College in helping to promote education and economic development by providing skills assessment and training services.

- (b) This SECTION expires January 1, 2006.

#### **2000-132-11**

SECTION 11. (a) Notwithstanding the amendment of IC 13-18-11 by this act, a certificate that is issued to a water treatment plant operator or water distribution system operator under IC 13-18-11 before September 1, 2000, must, to remain in effect, be renewed not later than two (2) years after it was issued.

(b) A certificate of a water treatment plant operator or water distribution system operator that is renewed under IC 13-18-11 before September 1, 2000, is renewed for a two (2) year period.

(c) A certificate of a water treatment plant operator or water distribution system operator that is issued after August 31, 2000, is subject to the triennial certificate renewal requirements set forth in IC 13-18-11-6.5, as added by this act.

(d) A certificate of a water treatment plant operator or water distribution system operator that is renewed after August 31, 2000, is renewed for a three (3) year period under the triennial certificate renewal requirements set forth in IC 13-18-11-6.5, as added by this act.

- (e) This SECTION expires September 1, 2003.

#### **2000-138-10**

SECTION 10. (a) The solid waste management board shall adopt rules under IC 4-22-2 before July 1, 2001, to reflect the elimination of references to special waste and the addition of references to industrial

waste in this act.

(b) This SECTION expires January 1, 2002.

#### **2000-140-23**

SECTION 23. (a) As used in this SECTION, "NPDES" refers to a National Pollutant Discharge Elimination System.

(b) As used in this SECTION, "combined sewer" has the meaning set forth in IC 13-11-2-31.4.

(c) The water pollution control board established under IC 13-18-1 shall adopt a rule before September 1, 2001, establishing requirements for community notification by NPDES permit holders of the potential health impact of combined sewer overflows whenever information from any reliable source indicates that:

(1) a discharge or discharges from one (1) or more combined sewer overflow points is occurring; or

(2) there is a reasonable likelihood that a discharge or discharges from one (1) or more combined sewer overflow points will occur within the next twenty-four (24) hours.

(d) This SECTION expires January 1, 2002.

#### **2000-140-24**

SECTION 24. (a) As used in this SECTION, "combined sewer" has the meaning set forth in IC 13-11-2-31.4.

(b) As used in this SECTION, "long term control plan" has the meaning set forth in IC 13-11-2-120.5.

(c) As used in this SECTION, "use attainability analysis" has the meaning set forth in IC 13-11-2-242.5.

(d) Before October 1, 2000, the department of environmental management shall provide guidance to all combined sewer overflow communities explaining the requirement of the use attainability analysis and the long term control plan to aid communities in determining how to comply with the requirements. This guidance must clearly identify, to the extent possible, all of the appropriate data and information required by the department of environmental management for a permit holder's long term control plan that will also satisfy the requirements of a use attainability analysis. The guidance must include information regarding minimization of industrial discharges in wet weather events.

(e) The department shall report to the environmental quality service council at each meeting of the council the progress of guidance given under this SECTION.

(f) This SECTION expires January 1, 2001.

#### **2000-140-25**

SECTION 25. (a) As used in this SECTION, "board" refers to the water pollution control board established under IC 13-18-1.

(b) All waters designated under 327 IAC 2-1.5-19(b) as outstanding state resource waters shall be maintained and protected in their present quality in accordance with the antidegradation implementation procedures for the outstanding state resource waters established by the board for waters in the Great Lakes system. Nothing in this act except

IC 13-18-3-2, as amended by this act, affects the authority of the board to amend 327 IAC 5-2-11.7. Any rule adopted by the board contrary to this standard is void.

(c) All waters designated as outstanding state resource waters under 327 IAC 2-1-2(3) and waters designated as exceptional use waters under 327 IAC 2-1-6(i) shall be maintained and protected in accordance with 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2). If a permittee seeks a new or increased discharge for which a new or increased permit limit is required and that amounts to a significant lowering of water quality, the permittee shall demonstrate an overall improvement in water quality in the outstanding state resource water or exceptional use water, subject to:

- (1) the approval of the department of environmental management; and
- (2) IC 13-18-3-2(m)(2)(A) and IC 13-18-3-2(m)(2)(B), as amended by this act.

(d) Any rule adopted by the board before the effective date of this SECTION is void to the extent that it:

- (1) is inconsistent with this SECTION; or
- (2) requires protection of waters beyond the protection required by 327 IAC 2-1-2(1) and 327 IAC 2-1-2(2).

(e) Before January 1, 2001, the board shall amend 327 IAC 2-1-2, 327 IAC 2-1-6, and 327 IAC 2-1.5-4 to reflect this act.

(f) This SECTION expires on the earlier of:

- (1) the effective date of the rule amendments adopted by the board under subsection (e); or
- (2) January 1, 2001.

#### **2000-140-26**

SECTION 26. (a) As used in this SECTION, "department" refers to the department of environmental management.

(b) Before July 1, 2001, the department shall develop and maintain a quality assurance program plan and information management system to assess the validity and reliability of the data used in the implementation of IC 13-18-2-3, as added by this act, and IC 13-18-3-2, as amended by this act.

(c) The department:

- (1) shall make data from the information management system under subsection (b) available to the public upon request; and
- (2) may charge a reasonable fee to persons requesting the data.

(d) The department shall use the data from the information management system under subsection (b) to review the data as of January 1, 2002, supporting:

- (1) the listing of impaired waters under IC 13-18-2-3, as added by this act; and
- (2) the special designation of waters under IC 13-18-3-2, as amended by this act.

(e) Before July 1, 2000, the environmental quality service council shall appoint a water data task force to assess the program resource needs of the department to collect adequate physical, chemical, and biological data used by the department. The task force shall present its

findings to the environmental quality service council upon completion.

(f) The water data task force appointed under subsection (e) shall include four (4) members of the general assembly, the chairperson of the environmental quality service council, and representatives of the following:

- (1) The academic community in the disciplines of biology, chemistry, and hydrology.
- (2) The department.
- (3) The department of natural resources.
- (4) The United States Geological Survey.
- (5) Private chemical water testing laboratories.
- (6) Industry.
- (7) Agriculture.
- (8) Environmental advocacy organizations.
- (9) General citizens.
- (10) Municipalities.
- (11) The water pollution control board.
- (12) Local public health officials.
- (13) The state department of health.
- (14) The United States Fish and Wildlife Service.

(g) This SECTION expires October 1, 2002.

#### **2000-140-27**

SECTION 27. (a) Until October 1, 2002, the following apply to a water body designated before October 1, 2002, as an exceptional use water:

- (1) The water body is subject to the overall water quality improvement provisions of IC 13-18-3-2(l), as added by this act.
- (2) The water body is not subject to a standard of having its water quality maintained and protected without degradation consistent with the provisions of this act.

(b) Before October 1, 2002, the water pollution control board established under IC 13-18-1 shall:

- (1) determine whether, effective October 1, 2002, to designate as an outstanding state water each water designated before October 1, 2002, as an exceptional use water under 327 IAC 2-1-11; and
- (2) complete rulemaking to make any designation determined under subdivision (1).

(c) This SECTION expires January 1, 2003.

#### **2000-140-28**

SECTION 28. (a) As used in this SECTION, "board" refers to the water pollution control board established under IC 13-18-1.

(b) Before October 1, 2003, the board shall establish policies and rules to govern the implementation of total maximum daily load requirements of Section 303(d) of the Clean Water Act, 33 U.S.C. 1313(d).

(c) Before July 1, 2000, the department shall appoint a working group of stakeholders with respect to the implementation of maximum daily load requirements as described in subsection (b). The working group shall consider and make recommendations to the department of

environmental management and the board on identification of issues, the development of policy options, policy adoption, and rulemaking.

The working group must include representatives from:

- (1) the general public;
- (2) municipalities;
- (3) industry;
- (4) business;
- (5) agriculture;
- (6) environmental advocacy groups; and
- (7) others with a high level of expertise in the subject area to be considered by the working group.

(d) The working group appointed under subsection (c) must also include the following members:

- (1) a representative of the environmental quality service council;
- (2) a technical secretary; and
- (3) a member of the board.

(e) This SECTION expires October 1, 2003.

### **2000-142-3**

SECTION 3. A hospital (as defined in IC 12-15-11.5-1, as added by this act) and the managed care contractor of the office (as defined in IC 12-7-2-134) shall use the arbitration procedure in IC 12-15-11.5-8, as added by this act, for the resolution of all disputed claims (as defined in IC 12-15-11.5-6, as added by this act) that have accrued as of the effective date of IC 12-15-11.5, as added by this act.